IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION APPLICATION NO.250 OF 2005

Owens Corning (India) Ltd. ...Applicant.

Vs.

United India Insurance Co.Ltd. ...Respondent.

Mr.Sanjay Jain i/b. AZB & Partners,for Applicant.

Mr.A.M.Vernekar i/b. Narichania & Narichania,for Respondent.

CORAM: D.K.DESHMUKH,J.

DATED: 18th August, 2006.

P.C.:-

1. Heard the learned Counsel appearing for both the sides. Perused the arbitration clause no.12 in the Insurance Policy and the letter dated 26.8.2002 from the Insurance Company. The Insurance company has repudiated its liability for the loss or damages under the policy and therefore, the arbitration clause is not available. Hence, there is no question of making any appointment of arbitrator. The application is disposed of.

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